

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6992

BILL NUMBER: SB 347

NOTE PREPARED: Dec 21, 2004

BILL AMENDED:

SUBJECT: Do Not Resuscitate.

FIRST AUTHOR: Sen. Sipes

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires hospitals and health facilities to inscribe a "do not resuscitate" symbol on a patient's wristband after a physician has signed an order that the patient is not to be resuscitated. It establishes penalties for failure to inscribe a symbol on a patient's wristband.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: There are no data available to indicate how many hospitals or nursing homes may be assessed a civil penalty for violating the requirement to place an insignia on the wristband of a patient who is the subject of a "do not resuscitate" order or failing to properly execute a "do not resuscitate" order. The civil penalty assessed by the State Department of Health would not exceed \$1,000 for a first violation or \$5,000 for a second or subsequent violation. Civil penalties would be deposited in the state General Fund.

If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. Fees prescribed in civil actions may not be collected from the state, but may be collected from a defendant when the state is successful in its action. A civil filing fee of \$100 would be assessed, with 70% of the filing fee deposited in the state General Fund if the case is filed in a court of record, or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

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